CITY COUNCIL STANDING COMMITTEE

Planning & Development Committee
Wednesday, January 18, 2012 – 7:00 p.m.

1st Fl. Council Conference Room – City Hall
AGENDA

(Items May be taken out of order at the discretion of the Committee)

Present: Chair, Councilor Bruce Tobey; Vice Chair, Councilor Greg Verga; Councilor Jacqueline Hardy

Absent: None.

Also Present: Councilor Cox; Fire Chief Dench; Mark Cole; Jonathan Pope; Kathy Clancy

The meeting was called to order at 7:03 p.m.

1. Continued Business

A) Gloucester Fishermen's Athletic Association (GFAA) request for road closures re: Run Gloucester 7 Mile Road Race on 08/19/2012 (Cont'd from 01/04/11)

Councilor Tobey expressed that the status of this matter is that the Committee was just waiting on a few approvals from City departments and the passage of a motion to go forward to the City Council. Fire Chief Dench offered to the Committee that only thing they asked of the GFAA was if vendors were using propane that they follow the rules and regulations; and they are making themselves available for ambulance service. He was "good" with their plans from his department's perspective; that they did a nice job the previous year with the race. Councilor Verga stated a few weeks ago they had a problem with the special events application form use, which was the first time the form had been used by the applicant; and that they may wish to give the form further review, particularly the sign off list. The Clerk of Committees offered to the Committee that at Councilor Verga's prompting that she and the City Clerk had reviewed the form and are making changes to it now to be more user friendly. Stephanie Ridge, representing Pursuit Racing, LLC and an applicant whose race would be coming forward for approval on the agenda, agreed with Councilor Verga that there was a need for a revision of the check off list for applicants as it was a bit confusing. Councilor Tobey congratulated Jonathan Pope, GFAA President on the awarding of the \$500,000 PARC grant to be used for the renewal of Newell Stadium. Mr. Pope reported that they dropped of the application with Lt. Aiello who is not back on duty until this Friday. The Clerk of Committees confirmed they did not have anything yet from the Police Department. Councilor Hardy asked for something in writing from Lt. Aiello Councilor Tobey suggested they approve the permit with the understanding they would receive the Police Department approval as soon as possible. Councilor Verga thought the event is great and hoped to see the event grow. Councilor Hardy also supported this road race, and asked Mr. Pope to let them know if there is anything they can do to assist the GFAA. She would be willing to support the motion with an understanding that the memo from Lt. Aiello was coming forward for their records; that if there any issues, they will address them. Mr. Pope expressed his appreciation at the suggestion as it was important to them to start registering runners as soon as possible as elite runners are planning their summer schedules now. Councilors Hardy and Verga voiced their support for the event; that there weren't any problems that they couldn't address, as in the past, to see that this important homegrown event ran smoothly. Councilor Tobey also lent his support to the event.

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Gloucester Fishermen's Athletic Association (GFAA) 3rd Annual Run Gloucester 7 Mile Road Race on Sunday, August 19, 2012 with a temporary parking ban and/or restrictions along the following areas and roads indicated in the submitted race plan for the purpose of road closures as deemed necessary at the discretion of the Gloucester Safety Officer assigned to the event and the Fire Chief or his designee:

Known Road Closures: 6:00 a.m. to Noon water side of Stacy Boulevard.

Race Route: As per schedule submitted and approved with this motion.

With the following conditions:

1. Certificate of insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerks Office by the close of business July 20, 2012.

2. Road Closure Plans:

Memoranda from the Gloucester Police Department and the Gloucester Fire Department giving their approval of the plans for the G.F.A.A. 3rd Annual Run Gloucester 7 Mile Road Race on August 19, 2012 be on file with the City Clerks office by the close of business July 20, 2012. Any roads to be closed are to be marked with appropriate signage directing the general public as well as to the road closure, its duration and alternate routes in order to maintain traffic flow. A detailed traffic and parking plan and police detail information must be signed off by the Police Chief and on file with the Office of the City Clerk and the DPW Director no later than July 20, 2012 close of business. Any substantial changes, as determined by the Chief of Police or his designee and the Fire Chief or his designee, to the route or related to safety issues come back to the Council for amendment and approval.

3. Refuse and Comfort Stations:

All refuse and recycling generated due to this event is to be cleaned up and removed at the expense of the organizer. Portable toilets are to be provided by the organizer at their expense, placed the evening before the day of the event and removed by 2:00 PM, August 19, 2012 with appropriate maintenance during the event.

4. Emergency Services:

A first aid station, with appropriate signage making it highly visible to race participants must be in place in an easily accessible location in the area of the race course from the start to the end of the event with certified personnel with appropriate first aid equipment and supplies.

5. Staffing:

All event staff is to have cell phones and be easily identified by the public with t-shirts that are distinct. A list of all event staff and their cell phone numbers are to be submitted to the DPW, Police Department and Fire Department.

6. Responsibility of Gloucester Fishermen's Athletic Association:

While City Council approval is needed, the applicant is required to obtain any necessary approvals from the Licensing Board and the Licensing Commission as well. It is the sole responsibility of the GFAA or their designated representative to ensure that all required documentation is filed with the appropriate City departments by the deadlines imposed by the City Council as indicated.

B) Request from Pursuit Racing, LLC re: May 12, 2012 Twin Lights Half Marathon (Cont'd from 01/04/12)

Stephanie Ridge of Pursuit Racing LLC, of 17 Thaxter Road, Portsmouth, NH explained to the Committee that their race, a half marathon, begins and ends at the Good Harbor Beach parking lot. She has spoken to the necessary department heads; spoke to Beauport Ambulance to supply both an Advanced Life Support (ALS) and Basic Life Support (BLS) ambulance. Another BLS ambulance will be stationed in Rockport. Last year this event had a runner who crossed the finish line and had a heart attack. While everything turned out fine, her organization wished to be better prepared in the case of such an event. She has filled out a permit with the Health Inspector for supplying food for the runners. There is no propane being used. She also spoke to Lt. Aiello of the Police Department who suggested three police details. Also Mark Cole, Assistant DPW Director has signed off on the use of beach parking lot. She will work with him to see if they can hire some of the DPW's seasonal workers for parking services. Last year the race began at 10 a.m. and now will start at 9 a.m. to help alleviate the road congestion. It is the day before Mother's Day this year. She has sign offs from the Rockport Town Selectmen and Police Department as the majority of the race traverses through that town. She wished to also provide signage for notification of the race to

advise the community. Councilor Hardy suggested putting up poster boards a few days in advance of the race can be a big help, which the Magnolia Road Race has done successfully. Mark Cole stated Pursuit Racing has contracted for 30 port-a-potties which he believes will be adequate. One will be handicap accessible. Ms. Ridge stated there would be 850 runners. There won't be any race day registration. On inquiry by Councilor Hardy, Ms. **Ridge** stated their organization donated funds from last year's race to GFAA and Rockport Athletics. They're going to select five or six non-profits to man the water stations and give them a donation of \$500 to \$750; they would be seeking out local groups. They will have this information available on their website. Councilor Hardy asked for a list of who these non-profits were to be submitted when they are identified. They will be also contracting with CAARA for communication services again; and will give them a donation, as they did last year. Councilor Hardy asked about the Certificate of Insurance. Ms. Ridge stated it was in process at this time and would mail it to the City Clerk's office as soon as it was available. Councilor Hardy asked how last year's race went and could the City help in any way. Ms. Ridge felt the parking attendants would be extremely helpful. She also would work with the Police to find alternative parking also. She did note that there were traffic difficulties in Rockport; but they seem to have resolved it. A member of the audience suggested that the race organizers could put a link on their website where they have runners sign up as to the amenities offered in the City before and after the race, which Ms. Ridge would look into.

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit Pursuit Racing LLC to run the Twin Lights Half Marathon on City streets on Saturday, May 12, 2012 with a temporary parking ban and/or restrictions along the designated areas and roads for the purpose of road closures as deemed necessary at the discretion of the Gloucester Safety Officer assigned to the event and the Fire Chief or his designee:

Race Route: As per schedule submitted and approved with this motion.

With the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerks Office by the close of business April 27, 2012.

Road Closure Plans:

Memoranda from the Gloucester Police Department and the Gloucester Fire Department giving their approval of the plans for the Pursuit Racing LLC to run the Twin Lights Half Marathon be on file with the City Clerks office by the close of business July 20, 2012. Any roads to be closed are to be marked with appropriate signage directing the general public as well as to the road closure, its duration and alternate routes in order to maintain traffic flow. A detailed traffic and parking plan and police detail information must be signed off by the Police Chief and on file with the Office of the City Clerk and the DPW Director no later than April 27, 2012 close of business. Any substantial changes, as determined by the Chief of Police or his designee and the Fire Chief or his designee, to the route or related to safety issues come back to the Council for amendment and approval.

Refuse and Comfort Stations:

All refuse and recycling generated due to this event is to be cleaned up and removed at the expense of the organizer. Portable toilets, should they be used, are to be provided by the organizer at their expense, placed the evening before the day of the event and removed by 2:00 PM, May 12, 2012 with appropriate maintenance during the event.

Emergency Services:

A first aid station, with appropriate signage making it highly visible to race participants must be in place in an easily accessible location in the area of the race course from the start to the end of the event with certified personnel with appropriate first aid equipment and supplies.

5. Staffing:

All event staff is to have cell phones and be easily identified by the public with t-shirts that are distinct. A list of all event staff and their cell phone numbers are to be submitted to the DPW, Police Department and Fire Department.

6. Responsibility of Pursuit Racing LLC:

While City Council approval is needed, the applicant is required to obtain any necessary approvals from the Licensing Board and the Licensing Commission as well. It is the sole responsibility of the Pursuit Racing LLC or their designated representative to ensure that all required documentation is filed with the appropriate City departments by the deadlines imposed by the City Council as indicated.

C) Renewal of Special Permit pursuant to MGL c. 48, §56 & GCO Sec. 22-153 re: Antonio Procaccini Outdoor Parking Permit at Long Beach Road (Cont'd from 12/07/11)

Attorney Kevin Kiely appeared before the Committee representing Antonio and Angela Procaccini of 9 Seneca Drive, Danvers in their application for the operation of their open air parking lot at 2 Long Beach Road and in operation for over 40 years; a family enterprise for a long time. All the people that manage it are family members. This application has been signed off by both the Fire Chief and Building Inspector especially related to conditions the Council set forth in 2009. All the conditions have been met as certified by the Building Inspector (in a memo dated January 6, 2012, on file) and are acceptable to them both. He and the applicants were present at the inspection conducted by the Building Inspector and Fire Chief who at that time had verbally approved it. There are a number of background documents (on file) that were given previously to the Committee. Mr. Kiely received a late letter from an abutter expressing his approval of the Procaccini's application which he submitted to the Committee and was placed on file. This permit is for a one year period, with review every three years, but asked that it be a bit longer time frame for the review explaining there are expenses involved which would make it helpful to the applicant to do this on a longer time frame and suggested a five year review as an alternative to the Committee. **Angela Procaccini** stated since 2006 they've been on a 3 year review. After 3 years they present to the City Clerk's office their reapplication and a license is issued. Prior to that time, they were issued yearly licenses by the City Clerk and the Licensing Commission; and they had reviews 10 years apart: the late '70's then ten years, then in 1993, 2006, 2009 and now 2012. Mr. Kiely stated it is not the annual granting, they asked that the reviews be staged every five years or so, absent some objection or concern by a City department or private citizen, which would be cause for review. Councilor Verga asked about precedent of automatic renewal of licenses. Councilor Tobey expressed concern about statutory allowance about the length of the license and is there a cap, which he didn't see in the covering ordinance. Mr. Kiely stated absent a limit in the covering ordinance, it would be ad infinitum. Councilor Hardy added that the license itself does stipulate that it should be reviewed in three years. If there is a change she suggested perhaps they should make a change in the ordinance. She recalled the last few years this was before the Committee and Council, the reason for it was to allow the residents and abutters time to come in and express any issues they had during the three year timeframe. It was for the convenience of the public. Unfortunately, many of those people are away during the winter. Until there is a request to change the ordinance, she felt they should maintain what they have. Councilor Tobey felt they have consensus that the ordinance is silent and that past practice has been a three year review timeframe. Mr. Kiely stated they did notice the abutters. They received no objection. Councilor Hardy stated until they change the ordinance. Councilor Tobey felt they have consensus that the ordinance is silent and that past practice has been a three year review timeframe. Councilor **Hardy** stated that it is the same for the lot across the street. She noted she has reviewed this for many years and came to know Mrs. Procaccini as she used to live at Long Beach, and does go down yearly to visit the lot to see what is going on; and could fully recommend the approval of this permit, as she had in the past. She appreciated over the years they have worked with the Building Inspector to get the parking lot in order, and with a handicapped spot, and that they have adequate signage. She asked if the applicants agree to continue their \$100 payment to the Long Beach Motor Inn for cleaning up the Gloucester portion. Ms. Procaccini stated they would. Attorney Kiely stated there is a letter from Brad Peirce affirming that [relationship]. Councilor Tobey stated that there is a handicap space requirement of the permit and that the applicant was comfortable with that. Mrs. Procaccini stated the change was enacted 2009. The space is the van accessible portion which is marked off and will be incorporated this spring. Chief Dench added he was comfortable with the parking situation. On inquiry by Councilor Hardy regarding the planted shrubs on the Cliff Road side of the lot, a license condition, Mrs. Procaccini stated that the

shrubs are thriving. The neighbors are pleased with the way things are done. **Councilor Hardy** thanked the Procaccini's' for their cooperation with the lot's neighbors. She reiterated their operation is a good one. They have gone the extra mile for their lot patrons; and she thanked them again.

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council the renewal of a Special Permit for Antonio and Mary Procaccini for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

- 1. That this Permit shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate fees to the City Clerk;
- 2. That prior to the issuance of the permit by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
- 3. That the number of cars allowed to park on the lot at any one time is limited to 23.
- 4. That one space of the 23 spaces allowed is to be designated handicapped parking;
- 5. That the Fire Chief, for safety purposes, may remove space numbered 23 as shown on the approved plot plan;
- 6. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated January 6, 2012 and on file in the City Clerk's office;
- 7. That the grass in the parking lot be kept short;
- 8. That an attendant shall be on duty at all times during hours of operation;
- 9. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo Dated January 6, 2012);
- 10. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
- 11. That a minimum of two (2) rubbish containers be placed on the property and that trash be removed from the lot on a daily basis;
- 12. That four shrubs shall be placed and maintained on the property abutting Cliff Road;
- 13. Signage: the following shall be posted on a temporary sign to be erected by the applicant, The size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the permit
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
- 14. That the permit fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein:
- 15. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
- 16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit; AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

2. Fuller School Site Reuse Study

Councilor Tobey expressed that this was just the first step and to start that evening to talk about what the shared process would look like. He asked where the School Committee was in this process. Mr. Pope, responding in his role as School Committee Chair stated the Mayor has laid out a timeline with an overlap of the Fuller School being declared surplus and moving forward with the MSBA for a new West Parish school. Today they're in receipt of a request of the Mayor to have Fuller School declared surplus. It will be referred out at their next Wednesday's School Committee meeting. At their last School Committee meeting, they referred out a number of items that are relevant – they referred to the program subcommittee an investigation into the reasons that they move out of Fuller in the first place. They did an extensive study called a "Planning/Perfecting Learning Communities" which concluded that small neighborhood schools were more educationally effective than large central schools. They referred to their B&F Committee for them to revisit that and to reaffirm those findings in a public manner. They also referred to their B&F the assessment of what they actually have at Fuller – the preschool; the school administration, the transportation department, and the playing field is used by the athletic department. In addition, the City uses Fuller for their building maintenance facility. There is a shop there where they house their inventory.

In order for them to move out, if it is determined there is no future educational purpose for the building as it is underutilized, based on current uses, what they would need to do to move those functions out. If they declare Fuller surplus, they don't want to leave themselves homeless.

As far as the preschool goes, they voted to apply for a grant filed in conjunction with Pathways (who has excess plant capacity) and are investigating moving of the preschool to the Pathways building which they believe is a good and practical reason – the State has \$50 million in early childhood education grants available. The State looks for integration and collaboration between public and private entities, and they have an existing relationship. Their preschool is populated by students on IEP's (Integrated Educational Plans) and not on IEP's. They're mandated to provide this for kids on IEP. The best model is an integrated preschool, where all students are mainstreamed. Under the agreement they have, they bring kids in from Pathways to fill out the preschool. They're already on that track for what the State is looking for. **Kathy Clancy**, School Committee B&F Chair stated Pathways had already wanted to pull their students back to Pathways (who had already been housed there, a 60:40 to a 50:50 ratio which they must maintain a certain percentage) because of the Fuller facility. Last summer they were informed of this by Pathways. Mr. Pope continued it is being looked at. They're applying for a grant to pay for the renovations of the building which is now empty space. It would be a lease from Pathways. There are a lot of facets involved. Councilor **Tobey** noted what was described is a process that will take some time. Mr. Pope stated if it all falls into place correctly they could move into Pathways in September. They haven't yet done an inventory to move the facilities for the administration yet. They need to look at what they need first. Councilor Verga stated that a permanent home has to be found, and the burden would be on the Mayor that she'd have to find another space. Councilor Tobey pointed out they'd have to do an RFP for such a thing. Ms. Clancy stated the buses were moved to Fuller and they too will need to be moved. Mr. Pope mentioned the playing field named for Charlie Thomas. Councilor Verga added that the field was declared surplus with a proviso it be declared surplus if it was to be used as a combined emergency services facility. From a historical perspective it was also public support that kept the neighborhood schools versus housing all elementary students at Fuller. Noting he and Councilor Hardy had put forward last fall a Council Order about a ballot question on this very matter which died and related to the report (by MassDevelopment on the Fuller School) which she had not released at that time, the Mayor did say she was going to have a survey done to see how the public viewed what should be done with the building. Ms. Clancy stated the Mayor wants two surveys – one to the school community and one to the general public. Mr. Pope stated it is a question of due diligence. There are folks in the community who may say close all the neighborhood schools and put the students in Fuller. They feel they must reiterate why they did it this way in the first place and to have a public conversation. Councilor Tobey asked about a target date for the surplus declaration. Mr. Pope stated there is a timeline on the West parish school. They were looking at the application for the MSBA. There are some issues about having existing schools surplus that may affect their application. They will talk to the MSBA about that. He clarified for Councilor Verga that the MSBA has a clause regarding a building being declared surplus "in the last ten years"; there is information about a school catchment area. There was a reference to selling a surplus school property to a big box store for instance that would be cause to give the MSBA a reason to perhaps deny the application. Ms. Clancy noted the MSBA did state the West Parish School could go forward. This is a completely different area of town from the Fuller School. Councilor Verga went back to the reuse issue; if they can't build behind the current school, and did a major renovation to West Parish, Fuller might have to be the "swing school". Councilor Tobey recalled the last joint School Committee/City Council meeting they discussed that Fuller would have to be the temporary venue if something happened to West Parish. Ms. Clancy stated it is possible to build a school behind the current facility, and do the heavy construction in the summer; then do other construction during school time, but they aren't sure how that may work yet. Mr. Pope explained there is an application to extend their deadline for eligibility for the MSBA. Councilor Verga stated at the time the MSBA didn't act on it, but they're still in the mix. There is a \$500,000 cost to the feasibility study as required by the MSBA, which at the time no one seemed to want to spend that sum of money for it. Mr. Pope stated they had to actively write a letter requesting the extension, which has been done. It would be voted on January 25th by the MSBA. Ms. Clancy added that gives them the timeframe to figure out the feasibility study issue. Then if they meet the hurdles, the MSBA would fund part of the construction. Councilor Tobey asked if everything flows as it should what is the timeline to the ground breaking. Mr. Pope stated it would be three years. Councilor Hardy recalled when they applied to the MSBA for green roofs; they avoided the West Parish School because of the possible rebuilding of that school. She knew the then Superintendent Connelly got back in touch with the MSBA to ask if they did declare Fuller surplus would they still be able to go forward with the new school at West Parish; and that Mr. Connelly would follow up to find the answer to that. She suggested they look into that. Mr. Pope also noted there is a playing field in the back and wetlands at West Parish. The feasibility study doesn't have to be limited to that particular site; there being large tracts of land in West Gloucester that could be suitable. Councilor Hardy asked were they not obliged to put the

Committee that any other use of it, that they still had the preschool, the administration, and facilities housed there which none of the other plans took into account. **Councilor Hardy** noted Emergency Management has also looked

This matter would return to the P&D agenda at the discretion of the Chair.

for grant monies to enhance the Emergency Management center housed at Fuller.

The Committee agreed by consensus to a continuing start time their meetings of 7 p.m.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:16 p.m.

Respectfully submitted,

Dana C. Jorgensson Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Sign offs of Department Heads regarding the GFAA Run Gloucester Road Race from Jonathan Pope, GFAA President
- Letter of Support for the renewal of Open Air Parking Lot Permit to Antonio and Angela Procaccini, submitted by Attorney Kevin Kiely